



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,992	03/03/2004	Morton G. Swimmer	CH920020050US1	4840
48233	7590	11/19/2007	EXAMINER	
SCULLY, SCOTT, MURPHY & PRESSER, P.C.			FIELDS, COURTNEY D	
400 GARDEN CITY PLAZA				
SUITE 300			ART UNIT	PAPER NUMBER
GARDEN CITY, NY 11530			2137	
			MAIL DATE	DELIVERY MODE
			11/19/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b>	Application No.	Applicant(s)
	10/791,992	SWIMMER ET AL.
	Examiner	Art Unit
	Courtney D. Fields	2137

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 07 November 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1.  The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

a)  The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
 b)  The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2.  The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3.  The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
 (a)  They raise new issues that would require further consideration and/or search (see NOTE below);  
 (b)  They raise the issue of new matter (see NOTE below);  
 (c)  They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
 (d)  They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4.  The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
 5.  Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
 6.  Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7.  For purposes of appeal, the proposed amendment(s): a)  will not be entered, or b)  will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 1-23.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

AFFIDAVIT OR OTHER EVIDENCE

8.  The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
 9.  The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10.  The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11.  The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
 12.  Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_  
 13.  Other: \_\_\_\_\_.

*C. D. Fields*  
 EXAMINER, MC326  
 SUPERVISORY PATENT EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because:

Referring to the rejection of claims 1 and 10, the Applicant contends that the prior art (Wang) does not teach, disclose, nor suggest a step of classifying access requests into one of critical and non-critical classes in dependence on stored access control data associated with the object and the task. The Examiner respectfully disagrees and asserts that Wang discloses three classes of actions wherein two are non-critical classes and one is a critical class. The first non-critical class is shown within the ACMO (Access Control Model Object). User A is classified into class 1, a non-critical class, wherein the user is authorized to read library objects and any other library object which is publicly available within its associated ACMO (See Column 4, lines 59-67)

User B is classified into class 2, a critical class, wherein the user is authorized to write into a library object as well as any other library object which includes shared authorization only if prior checking of the access control data is performed within the ACMO. (See Column 5, lines 1-4)

User C is classified into class 3, a non-critical class, wherein permission does not need to be checked prior to granting access to the ACMO. This user is permitted unlimited authority with regard to library objects and any other library object which includes shared authorization. (See Column 5, lines 4-7)

Referring to the rejection of claims 1 and 10, the Applicant contends that the prior art (Wang) does not teach, disclose, nor suggest granting task access to the object and storing data indicative of the access in an access log if the access is classified into the non-critical class. The Examiner respectfully disagrees and asserts that Wang discloses a distributed data processing network for users to access a data object or document stored in another portion of the data processing network. If the user is classified into a non-critical class the data is stored within an access control profile associated with a group of users permitted based upon the level of authority and identifying the user (See Column 3, lines 59-67, Column 4, lines 1-8)

Referring to the rejection of claims 1 and 10, the Applicant contends that the prior art (Wang) does not teach, disclose, nor suggest in the event that the access is classified into the critical class, granting or denying the task access to the object in dependence on the contents of the access log and the stored access control data. The Examiner respectfully disagrees and asserts that Wang discloses a specific public authority level not listed within the ACMO, the request for a document is denied. The user must meet the requirements for determining public authority level from a critical class in order to gain access to objects or tasks within a shared authorization parameter (See Column 6, lines 12-23).